

PATENT COOPERATION TREATY

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From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/IB2005/050006

International filing date (day/month/year)
03.01.2005

Priority date (day/month/year)
19.01.2004

International Patent Classification (IPC) or both national classification and IPC
H04S1/00

Applicant
KONINKLIJKE PHILIPS ELECTRONICS N.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	4,5,7-10
	No: Claims	1-3,6
Inventive step (IS)	Yes: Claims	
	No: Claims	1-10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

- 1 The documents cited in the international search report will be named D1-D3.
- 2 The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of claim 1-3 and 6 is not novel over the disclosure of D1 (US 2003 0219137 A) for the following reason.
 - 2.1 This document discloses, in particular in figures 2A, 2B and 5, and the corresponding description in paragraphs 66, 67, and 77-80, a device ("enclosure 201"; "sound processing system 500") having first and second parts with respective first and second sound generating means 214, 215 (figure 2A), an input for a stereo signal (figure 5, "x1" and "x2"), and means for sending first and second signals "y1" and "y2" being different composites of the left and right sound signals to the respective first and second sound generating means (paragraphs 66, 67).
 - 2.2 Since the first sound generating means of the first part points downwards towards the surface of the bottom panel 238 (figures 2A-2C; it appears that this feature is referred to in paragraph 77 as bottom panel "239"), the device is formed so as to couple soundwaves generated by the first sound generating means into the surface of the elongated element 238, which is an outer envelope of the first part.
 - 2.3 The device according to document D1 therefore anticipates the subject-matter of claims 1-3 and 6.
 - 2.4 Dependent claims 4, 5, and 7-10 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows.
 - 2.5 Using substantially orthogonal signals comprising L+R and L-R, respectively (ie. the particular choice of the parameters A and B as 0 and 1, respectively), for driving of the sound generating means in the sound processing system of D1 is considered conventional as is considered the use of piezo-elements for the sound generating means.

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- 2.6 Since the device of document D1 is adapted to be mounted in a dash-board of a car, using reversible coupling means (or suction elements or magnets for the same purpose) cannot be considered to involve an inventive step.

Regarding Item VIII

- 3 The application does not meet the criteria of Article 6 PCT, since the vague and imprecise statement in last sentence of the description implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity (Article 6 PCT) when used to interpret them.